

APPENDIX E.

[See Rule 9.]

**FORM OF AGREEMENT TO BE ENTERED INTO BETWEEN THE
RECRUITS TO CLASS I OF THE PROVINCIAL SERVICES
AND GOVERNMENT AND CONDITIONS OF SERVICE
TO BE INCLUDED THEREIN. THE FORM SHOULD
BE USED WITH NECESSARY MODIFICATIONS
SUITABLE TO THE CIRCUMSTANCES
OF EACH SERVICE.**

AN AGREEMENT made the _____ day of _____
One thousand nine hundred and thirty _____ between
(hereinafter referred to as "the Covenantor") of the
one part and the Governor of Bombay of the other part.

WHEREAS the Government of Bombay (hereinafter referred to as
"the Government") has engaged the covenantor to serve His Majesty
in India as*

_____ an officer of the Bombay
Service, Class I, under the Government on the
pay and subject to the conditions, hereinafter contained; Now it is
hereby agreed by and between the parties hereto as follows:—

(1) The covenantor shall be on probation for.....

(2) The covenantor shall at all times during the period of his service
employ himself wholly, faithfully and diligently under the orders and
instructions of the Government and of the Officers who may be placed
over him.

(3) If the covenantor leaves the service of His Majesty before he
completes _____ years of service, he shall on demand forfeit
to the Government the sum of rupees five hundred (Rs. 500).

(4) The covenantor shall in all respects faithfully obey, observe
and comply with the rules for the time being applicable to persons
serving in connection with the affairs of the Province of Bombay.
He shall conform to and obey all the departmental rules and
regulations and such orders and directions as he may from time to
time receive from Government or from such officers and authorities
as may be placed over him. He shall proceed to any place or places
to which he may be ordered from time to time to proceed for
the performance of his duties.

(5) The covenantor shall devote his whole time and attention to
the duties of his office and shall not engage directly or indirectly in
any trade, business or occupation on his own account and shall not,
except in case of accident or sickness certified by competent medical
authority, absent himself from his duties without having first obtained
permission from the Government or its authorised officers.

(6) The covenantor shall pass such examination or examinations
or undergo such post-graduate course or courses and within such

* Give designation of office.

time as may be prescribed by Government for the service to which he belongs, and on his failure to do so, his services may be dispensed with.

(7) The covenantor shall be entitled to pay on the time-scale of the service to which he belongs and he shall/shall not be entitled to overseas pay.

(8) The covenantor will count his service for leave and pension according to the rules for the time being in force applicable to the service to which he belongs.

(9) The covenantor shall not resign his appointment without obtaining previous written sanction of the Government or its authorised officers.

(10) The Government may at any time during the said probationary term of ^{Substituted vide Slip No. 109 Inserted} years, or, if the service shall continue beyond the said term, at any time thereafter, dispense with the services of the covenantor without notice in the event of misconduct on his part or of a breach by him of any of the conditions of his employment.

(11) If the Government is satisfied on the report of a duly constituted advisory Medical Board that the covenantor is unfit and is likely to continue unfit for a considerable period by reason of ill-health for the discharge of his duties, it may at any time determine his service. The decision of the Government shall be final and binding on the covenantor.

(12) The covenantor shall at all times well, truly and faithfully account for and pay over or deliver to the proper person all moneys, goods, materials, documents and reports which shall at any time come to his hands or be under his charge on account of the Government.

(13) Subject to the above conditions the Government shall continue the covenantor in His Majesty's Service. But he shall not be entitled to any notice of termination of his services except such as may be provided by the rules for the time being in force applicable to the service to which he belongs.

IN WITNESS WHEREOF Mr. _____ hath set his hand
and _____ the Secretary to the Government of
Bombay in the _____ Department hath set his hand and
the seal of his office on behalf of the Governor of Bombay the day and
year first above written.

Signed by the abovenamed
Mr. _____ in the presence of—

- (1)
- (2)

Signed by

Secretary to the Government of Bombay,
in the presence of—

Department, .

- (1)
- (2)

Page 92, Appendix E—

1) In the Form of Agreement for clause (10) *substitute* the following:—

“*(10) The Government may at any time during the period the covenantor is on probation dispense with the services of the covenantor without notice in the event of misconduct on his part or breach of any of the conditions of his employment”; and

2) *insert* the following footnote with an asterisk at the end, namely:—

“*Clause (10) should not be inserted in the agreement to be executed by promoted Class I Officers.”

(G. N., P. & S. D., No. 1586/34, dated the 1st December 1942.)

(Correction No. 109 to the Bombay Civil Services Classification and Recruitment Rules, dated the 1st March 1944.)